

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SAMUEL KATZ, Individually and on
Behalf of All Others Similarly Situated

v.

CALIBER HOME LOANS, INC.

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CIVIL ACTION NO. 3:23-CV-0145-S

ORDER


This Order addresses Plaintiff's Unopposed Motion Continuing Rule 16 Conference [ECF No. 46]. In the Motion, Plaintiff requests that the Scheduling Conference be reset to July 13 or 20, 2023, because "lead trial counsel for the Plaintiff has a pre-existing Court appearance." Mot. 1-2. No further details of this "pre-existing" court appearance were provided. As such, Plaintiff has not shown good cause.

Moreover, "lead counsel" is not required to appear for the Scheduling Conference; rather, "[a]t least one counsel of record for each party shall be present." Order Setting Initial Hearing, ECF No. 45. In a case where the local rules have been followed, local counsel could attend the Scheduling Conference. However here, Plaintiff has not complied with Local Rule 83.10(a), which requires the appearance of local counsel where counsel of record for a party does not reside in or maintain their principal office in this district. *See* N.D. Tex. Civ. R. 83.10(a). Local counsel has not appeared in this case, and a motion for leave to proceed without local counsel has not been filed.

Because Plaintiff has not shown good cause for the Motion and has not complied with the local rules, Plaintiff's Motion is **DENIED**.

SO ORDERED.

SIGNED May 18, 2023.



KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE